

371.400 Definitions for KRS 371.400 to 371.425.

As used in KRS 371.400 to 371.425:

- (1) "Construction" means the process of building, altering, repairing, improving, or demolishing any structures or buildings, or other improvements of any kind to any real property, but does not include processing equipment used for the process of manufacturing or the routine maintenance of existing structures, buildings, or real property;
- (2) "Contract" means a contract or agreement concerning construction made and entered into by and between a contracting entity and a contractor, a contractor and a subcontractor, or a subcontractor and another subcontractor;
- (3) "Contracting entity" means an owner of real property; a trustee or agent of an owner of real property; or a public official, public authority, or other public entity authorized to contract under the Kentucky Revised Statutes;
- (4) "Contractor" means a person performing construction and having a contract with a contracting entity;
- (5) "Disputed amount" means to question in good faith the validity, either in whole or part, of a request for payment asserted by any party;
- (6) "Owner" means a person who holds an ownership interest in real property;
- (7) "Person" means an individual, corporation, estate, trust, partnership, limited liability company, association, joint venture, or any other legal entity;
- (8) "Processing equipment" means equipment which uses physical or chemical methods to increase the value of a raw material or product and is installed by the person contractually responsible to the contracting entity for the design, purchase, installation, and performance of that equipment;
- (9) "Retainage" means money earned by a contractor or subcontractor but withheld to ensure proper performance by the contractor or subcontractor and that shall be paid upon completion of contractual obligations;
- (10) "Subcontractor" means any person performing construction covered by a contract between a contracting entity and a contractor who does not have a contract with the contracting entity; and
- (11) "Undisputed amount" means a good faith, valid, accurate, timely request for payment which has been submitted to any entity owing money, that the recipient of the request for payment has reviewed and agrees that the money is due and owing.

Effective: June 26, 2007

History: Created 2007 Ky. Acts ch. 136, sec. 1, effective June 26, 2007.